	Application No.	Applicant(s)
Notice of Allowability		AUCTINIET AL
	10/085,863 Examiner	AUSTIN ET AL. Art Unit
	THUAN T. NGUYEN	2618
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to		
2. A The allowed claim(s) is/are 1-2, 4-13.		
 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have been received. 		
2. Certified copies of the priority documents have been received in Application No		
3. Copies of the certified copies of the priority documents have been received in this national stage application from the		
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.		
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached		
1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).		
 DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. 		
Attachment(s) 1. ☐ Notice of References Cited (PTO-892)	5 Notice of Informal F	Patent Application (PTO-152)
Notice of Neterences Cited (*10-092) Notice of Draftperson's Patent Drawing Review (PTO-948)	6. Interview Summary	
_	Paper No./Mail Da	te
 Information Disclosure Statements (PTO-1449 or PTO/SB/08 Paper No./Mail Date 	3), 7. 🗋 Examiner's Amendr	ment/Comment
4. Examiner's Comment Regarding Requirement for Deposit	8. 🛛 Examiner's Stateme	ent of Reasons for Allowance
of Biological Material	9.	

DETAILED ACTION

Remark

1. Claims 3, and 14-25 have been previously cancelled, and pending claims 1-2, and 4-13 are for reconsideration.

Allowable Subject Matter

2. Claims 1-2 and 4-13 have been allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The prior art of record issued to Chawla and Laroia either alone or combine fail to teach or suggest a method of measuring frequency interference between a plurality of cell sites in a wireless communication network comprising at least selecting a frequency in a first cell site to be used as a beacon frequency, wherein selecting a frequency includes selecting a frequency carrying the least amount of traffic across a plurality of cell sites and protecting the frequency from carrying traffic as cited in claim 1. Laroia provides "phantom tones" but not "phantom frequency" (or "phantom channel"); and phantom tones of Loroia is not purposely created as form of protection of a frequency from carrying traffice and can not be transmitted as a beacon frequency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to the New Central Fax number:

(571) 273-8300, (for Technology Center 2600 only)

Hand deliveries must be made to Customer Service Window,

Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (571) 272-7895. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899.

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Division or Art Unit 2618.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TONY T. NGUYEN

Tony T. Nguyen Art Unit 2618 August 17, 2006